

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re application of:

Madaline Chirica, et al.

Application No.: 10/667,289

Filed: September 18, 2003

For: NUCLEIC ACIDS ENCODING
DCRS5 (as amended)

Examiner: J. Seharaseyon

Art Unit: 1647

Conf. No.: 8664

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Sir:

The materials as listed in the attached form PTO/SB/08 are brought to the Examiner's attention pursuant to the duty of disclosure under 37 C.F.R. § 1.56, § 1.97, and § 1.98.

Pursuant to the USPTO waiver of the requirement under 37 CFR 1.98 (a)(2)(I), copies of cited U.S. patents and patent application publications are not attached.

Citation of these documents should not be construed as a representation that the documents are in fact material or are in fact prior art with respect to the instant invention. The Examiner should not make any inference relating to the relative pertinence of cited references based upon the order in which the art is presented. Citation of these documents should not be construed as a representation that a search has been made or that more pertinent art may not be in existence.

Applicants request that the Examiner fully consider the art cited in the attached PTO/SB/08 form. Applicants further request that the Patent and Trademark Office list all such art on the front of any patent issuing from this application.

No fee, other than the fee required for a Request for Continued Examination (RCE) is believed to be required with the submission of this Supplemental Information Disclosure Statement, however, authorization is given to charge any fees necessary for the entry of this RCE and Supplemental Information Disclosure Statement. The fee transmittal form contains authorization to charge our Deposit Account No. 04-1239 for the required fee for such a submission.

Respectfully submitted,

Date: 14 September 2007

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>			Complete if Known		
			Application Number	10/667,289	
			Filing Date	09/18/2003	
			First Named Inventor	Madaline Chirica	
			Art Unit	1647	
Examiner Name	J. Seharaseyon				
Attorney Docket Number	DX01074B				
Sheet	1	of	2		

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	DOCUMENT NUMBER	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant, Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
	AT	US-6,756,481 B2	06-29-2004	Chirica, et al.	
	AU	US-5,888,774	03-30-1999	Delcuve	
	AV	US-2003/0009018 A1	01-09-2003	Maeda, et al.	
		US-			
		US-			
		US-			
		US-			

FOREIGN PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant, Passages or Relevant Figures Appear
		Country Code*Number*Kind Code ² (if known)			
	AW	WO 00/73451	12-07-2000	Schering Corporation	

NON PATENT LITERATURE DOCUMENTS				
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.		
	AX	AGGARWAL, et al., (Jan. 17, 2003) <i>J. Biol. Chem.</i> 278(3):1910-1914, "Interleukin-23 promotes a distinct CD4 T cell activation state characterized by production of interleukin-17"		
	AY	BECKER, et al., (Sep. 2003) <i>J. Clin. Invest.</i> 112:693-706, "Constitutive p40 promoter activation and IL-23 production in the terminal ileum mediated by dendritic cells"		
	AZ	COOPER, et al., (2002) <i>J. Immunol.</i> 168:1322-1327, "Mice lacking bioactive IL-12 can generated protective, antigen-specific cellular responses to mycobacterial infection only if the IL-12 p40 subunit is present"		
	BA	CUA, et al., (Feb. 13, 2003) <i>Nature</i> , 421:744-748, "Interleukin-23 rather than interleukin-12 is the critical cytokine for autoimmune inflammation of the brain"		
	BB	HAPPEL, et al., (2003) <i>J. Immunol.</i> 170:4432-4436, "Cutting edge: roles of toll-like receptor 4 and IL-23 in IL-17 expression in response to <i>Klebsiella pneumoniae</i> infection"		
	BC	HÖLSCHER, et al., (2001) <i>J. Immunol.</i> 167:6957-6966, "A protective and agonistic function of IL-12p40 in mycobacterial infection"		

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹Applicant's unique citation designation number (optional). ²See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, in indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

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Attorney Docket Number	DX01074B

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NON PATENT LITERATURE DOCUMENTS

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